

App.F.IX-4

✓  
1925.

File No. 57-25

Previous References  
Mus 168-23-1-9

(Muzrai)

Serial Nos. 1-9

Later references.

2.1 - 6.12 - 1-2

## GENERAL AND REVENUE SECRETARIAT.

---

Serial Nos. 9

Part B for March 1926.

---

### SUBJECT

Taking possession of certain properties gifted  
by the Kalyanamma for the benefit of Sri  
Kishor Narayana Swamy Temple at Talhar.

---

DE 1112 dated

To the Mus. Commr.

3. 3. 26.

Forwarded the copy of the opinion  
furnished by the L.D. Secy. in the  
matter

*[Signature]*

## GENERAL AND REVENUE SECRETARIAT.

( May )

## NOTES.

File No 50-25

## FILE HEADING.

Endowment of certain landed properties by one Narayanamma for the benefit of Sri Kirthi Narayana-swami temple at Dalkad -

From

The Muz. Comr.

No. P.C. 290

Dated 30-6-25

Received 4-7-25

Diary No. 18

Enclos. -

Spare Copies.

Serial No. /

## BRIEF ABSTRACT OF LETTER.

Forwards, for information, a copy of his letter no 289 of 24-25 & 29-6-25 to the D.C. Mysore, issuing instructions to him in the matter of taking over immediate possession of the properties willed out by Narayanamma and also to secure the paddy valued at 3 or 4 thousand rupees -

## NOTES AND ORDERS.

The previous refce. Muz 160-23-(1-9) on the subject is put up for refce -

7

It will be seen from Sl no 4 of the file, that the Muz. Comr was informed that the properties willed out by Narayanamma for the ---

Serial  
No.

of the temple could not be taken  
possession of by Govt. during <sup>her</sup> life  
time of and that if she wanted Govt.  
to take immediate possession of them,  
she should execute a deed of gift.

2. From the letter now read, it is seen  
that Narayanamma died on 13-12-24  
& that the D.C. has been asked to  
take immediate possession of the  
properties & also to secure the  
outstanding paddy from the ryots.

3. As no action appears to be  
called for on the part of Govt. at  
this stage, further communication  
in the matter may, perhaps, be avoided.

sd/-  
7/7/25-8/7  
7.7.25  
4 H. H. H. H. H.  
8.7.25

189  
8.7

182 member

8/7  
9.7  
a. 7. 15.

From, The Private Secretary to  
H. H. The Maharaja.

Memo no. 221 of 3.8.25.

Forwards for disposal, memorial  
from Mr K. Lakshmi Narasimha  
Chari praying that owing to the



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No.

that he has issued instructions to the Amildar to secure the presence of the executors of the Will & take possession of the properties ~~left to~~ <sup>be</sup> endowed by Narayanamma.

8. The further report which is likely to be subd to the Mys: Com will be awaited.

85 - 8/11  
11.11.25 - 11.11.25  
— may be called  
14.11.25.

10 Draft letter subd.

85 - 8/11  
16.11.25 - 16.11.25  
— 11.11.25  
18.11.25.

4 To the Mys: Comt., letter no. 611 of 20.11.25  
Requests him to report the result of the action taken to secure the presence of the executors of the 'will'.

5 Ref: of 16.11.25 from H. Lakshmi-narasimhaiah thro. the P S to H. 47

Prays that the endowt of Nalayanamma may be taken up over by Govt early; that his deposit with Govt for two -

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No.

Construction of a car to the Sri Muthi  
Narayanaswami temple, ~~which~~ may  
be supplemented by 1 pool and a car  
built; and that the temple tasdik  
may be enhanced by Rs 5000.

12 The present tasdik of the temple  
is Rs 435-6-0 per annum.

13 Draft forwarding the petn to the  
Muz. Comr for disposal or report.  
if necessary, in continuation of letter  
no. 611 & 20-11-25, is forwarded for  
approval.

880  
23-11-25

23-11-25

Done  
25-11-25

6

no. 654 dated 28-11-25 to the Muz.  
Comr. Forwards (8.5) the petition  
requesting an early report in the  
matter

Sk-  
13/12

Serial  
No.

7

From the Mys. Court, letter no. P.C. 290 of 24-8  
230-1-26  
2-2-26

States that the executors of the will of Narayanamma have to take out letters of administration before the terms of the will can be enforced; & requests that legal opinion may also be obtained in the matter; & solicits instructions as to whether any steps can be taken in the case on behalf of Govt. —

8

From the same, letter no. P.C. 290 of  
24-25 & 4-2-26.

States that on account of takaras put forward by the gultedars of the said lands, it is not possible to take possession of the lands unless legal steps are taken & that the lands are not in the possession of the trustees.

15. It will be seen from the above letters that the properties willed out by Narayanamma according to the desire of her brother's wife Kalayanamma are not in the possession of the executors of the will; that they have been leased out by Anantamaraiji (adopted son of Venkataramma, sister of Narayanamma); & that two of the gultedars, whose presence was secured, have stated that they cannot give the paddy to Govt. unless the lease-deed is cancelled.

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No.

and that the executors of the will are ready to act by the terms of the will, if I could put the lands into their possession -

16 From the statement of Anantaram Jois<sup>8/29-11-25</sup> before the Shekar, it will be seen that 4 acres of land in his enjoyment for 15 to 20 years were gifted to him <sup>on</sup> the death of Kalyanamma's husband & that the Khate is also in his name & that the executor Lakshminarasimhaiah<sup>he thinks</sup> has played a mischief in including in the will this land also -

17. It is not clear from the reports now received as to whether the above Narain Jois has leased out all the lands <sup>mentioned</sup> in the will or only 4 acres as stated above.

18 The Muz. Commr. thinks that the executors have to take out letters of administration before the terms of the will can be enforced and requests legal opinion in the matter. He also wishes to know if any steps should be taken in the case on behalf of Govt.

19. Kind ref. is invited to the legal opinion recorded in para 24 of the office note in Muz. file 160-23 - <sup>In</sup> ~~From~~ the English rendering of the will in the file, ~~it is~~ the details of the lands gifted to the temple are given - they all appear to be

8/26

Secretariat

File No. 50

of 1925.

Serial  
No.

in the village of Jalakad - Narayan  
amma has also authorized Govt in the  
same will to take possession of the  
properties mentioned in the will on  
behalf of the temple -

20. Subd. for orders on the points noted  
above - May the L & S Secy be  
89 consulted on the points raised  
6.2.26 by Mr. Mur. Com? h  
8/2

21. The muz. commt requests for  
8/2/26 legal opinion in the matter.  
The L. & S. Secy may be consulted

Rev. Secy)

22. Vide paras 4 & 5 of the letter

18<sup>th</sup> March)

h  
8/2 8/2

~~The L. & S. Secy may be consulted~~

23. The L & S Secy may be consulted  
as proposed about this action. It is to be taken by  
Govt. If it seems to me that under  
the execution of the will there is no  
letter of administration, & handed over  
the property to the temple, Govt cannot  
interfere with the property. If the  
Execution is not done by the letter of administration  
then the Govt is interested in the temple  
& when the property is bequeathed - Govt do  
to obtain possession of the property, then it is  
to determine by the L. & S. Secy, with legal opinion. h  
8/2 8/2

25/4  
8.2

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No.

24. From the meagre information available, it seems to me that the testatrix Naranamma ~~was~~ the sister of Kirti Narayana <sup>Iyengar</sup> the owner of the properties was in possession of the properties after the death of Kalyanamma the widow of Narayana ~~Iyengar~~ and disposed of the properties by means of a will, & that Ananta Narayana Iyer claims to be <sup>the owner of the properties</sup> the adopted son of Venkaia, the sister of Naranamma.

The Govt. are interested as being the managers of the ~~temples~~ properties bequeathed to the idol called Kirti Narayanaswami at Talakod by Naranamma.

25. The executors of the will have not taken out letters of administration with the will annexed or as such cannot act in the matter.

26. The position appears to be that in the absence of a preferential heir to Kirti Narayana Iyengar his sister <sup>must have</sup> ~~has~~ succeeded to his properties & has bequeathed properties to the idol; & that Narayana Iyer seems to have no claim to the properties & has unsuccessfully tried to obtain a succession certificate to collect the debts due to Kirti Narayana Iyengar, & that even the executors seem to take no interest in the matter for want of any interest.

27. ~~It is~~ Probate can be granted only to an executor when the executor refuses to act, an universal or residuary legatee may be admitted to prove the will.

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No.

28 As the idol is the universal legatee  
of as the Govt. is managing its affairs  
the Public Prosecutor may be instructed  
to ~~ascertain from~~ <sup>ascertain from</sup> the executors ~~that~~  
if they ~~whether~~ they would take out  
the letters of administrators -

29. If they fail to act, the Govt. as the  
managers of the properties or temple  
authorities may take out letters of  
administration under Sec 19 of  
Probate & Administration Reg<sup>n</sup> VI of 1914  
& take possession of the properties  
bequeathed to the idol.

30. Rev Sec 1  
with Compl<sup>t</sup>

1/2 meeting

31. Draft up to 17/2 can be  
put up on 17/2 1/2 & 1/2

32) Draft subd as per orders, for approval.

8/2 17/2 1/2 Rev Sec 1 17/2

33) The Muz Comm<sup>n</sup> board

is holding as to whether any action

should be taken on behalf of Govt.

Vide para 5. The draft that

can be put up - 18/2 1/2

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34) As the last para of the L & S Secretary note indicates the action to be taken on behalf of Govt., if the execution of the will fail to take letters of administration, no mention was made of it in the draft. A para is, however, now added <sup>in</sup> to the draft.

35) Draft, as added, may be approved.  
22/2/26 JH  
22/2/26  
Der. Secty

1<sup>st</sup> member

24/2  
h  
25/2 26/2

725/  
262

36) The addition of para 2 is not necessary

37) Done as above

27/2 h  
38) Done as above  
1/3

8 To the mem Commr No 1112 of 3.3.26.  
Sends for info & guidance  
copy of the opinion furnished by  
the Legis Secy on the subject

00361

No.

Office of the Muzrai Commissioner in Mysore,

Dated, Bangalore 29th June 1925.

From

The Muzrai Commissioner in Mysore,  
Bangalore

To

The Deputy Commissioner,  
Mysore District, Mysore.

GEN. & REV. SECRETARIAT  
6-JUL-1925  
MUZRAI

*[Signature]*  
Muz-50-25-1

Sir,

With reference to correspondence ending with your letter No. 825/23-24 dated 21st June 1924 in the matter of the acceptance of certain properties gifted by one Kalyanamma for the benefit of Sri Kirthinarayanaswami temple at Talkad, I have the honor to forward herewith

petition dated 29th May 1925 from Mr. K. Lakshminarasimha Char one of the executors bringing to notice that Narayanamma author of the will died on 13-12-24 and requesting that the endowed properties may be taken possession of by Government and arrangements made for the conduct of the stipulated service. I request you to be so good as to take immediate possession of the property if the testator is dead and the executor of the will hand over the same and also to submit a detailed report on receipt of which formal acceptance of the endowment by Government will be obtained and communicated to you.

Proper precautions to secure the paddy to the extent of 3-4 thousand rupees which is said to be with the cultivators should also be taken.

I have the honor to be,  
Sir,  
Your most obedient servant,

Muzrai Commissioner.

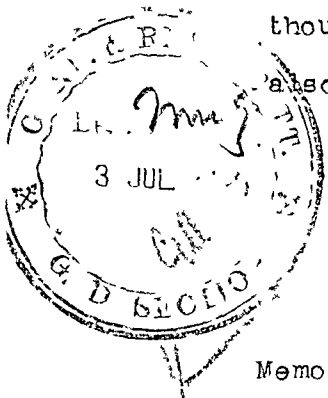
Memo No. P. 190/25-1

Dated, Bangalore 29th June 1925.

Copy of the above is forwarded with compliments to the Revenue Secretary to Government for kind information with reference to his letter No. 1770/M.F.160-23-4 dated 31st May 1924.

*[Signature]*  
Muzrai Commissioner.

(Sent from K. P. M.)



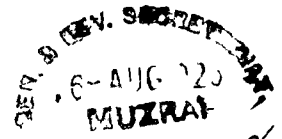
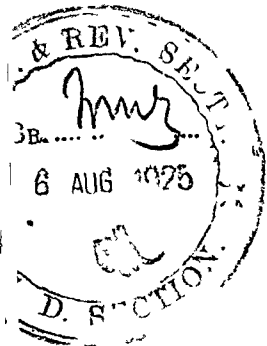
ST 7

OFFICE OF THE PRIVATE SECRETARY  
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. 221

*21 Feb. 22*

*Bangalore 3.8.1920*



*D. No. 178*

*mmz 50-25-2*

Petition, as shown below, to His Highness the Maharaja is

transferred to the Secretary to the Government of His Highness the

*14/1*  
*6/1*  
Maharaja of Mysore, *Revenue*

Department, Bangalore, for

*Disposal.*  
*Information the*  
*curatorial to the*  
*uz-Court in order*  
*in Disposal, is*  
*in order -*  
*my*  
*12.8.25*

No. 94 of 25-26

By Order,

*Private Secretary*

*Private Secretary*

to His Highness the Maharaja of Mysore.



no 1770/muz 160 - 23- 4 dated 31st May 1924

from the Secretary to the Government of His Highness  
the Maharaja of Mysore, Revenue Department, to the  
Mysore Commissioner in Mysore.

Adverting to correspondence ending with  
your letter no: P.C. 78 dated the 17th April 1924  
in the matter of the acceptance of certain prop-  
ties gifted by one Kalyanamma for the benefit  
of Sri Kirti Narayanabwami temple at Talhad,  
T. Narasipur Taluk, I am directed to state  
that from a reference to the deed sent up by you,  
it is seen that it purports to be a will executed  
by Narayanamma (and not by deceased  
Kalyanamma) bequeathing the properties  
therein mentioned to the temple and appointing  
certain persons including the petitioner  
Lakshminarasimha Chari as executors. As  
Narayanamma is still alive and the will  
can come into effect only after her life-time,  
I am to state that Government cannot now  
take any action to obtain possession of the  
properties on behalf of the temple. If the  
properties are to be immediately taken over  
for the temple, Narayanamma may be  
asked to execute a deed of gift making over  
the properties to the temple on such condition  
as she may consider necessary.

" " " " " "

R. Dis no. 68/23-24 muz. Deputy Commissioner's Office  
Mysore dated 20th June 1924

memo.

## Extract of the above

Mysore Commissioner's letter no. P.C  
dated 6.6.24 is forwarded to Mr. Lakshmi  
narasimhaiah, Dharmaseva Trustee, Sree  
Kirthi narayanadwamy Temple at Talkad  
for information. The sealed cover mentioned  
in para 2 of the above has this day been  
sent to the Sub. Division Officer, Nanjangud,  
for delivery to him.

(Sd) \_\_\_\_\_

for Deputy Commissioner.  
Mysore District.

(True copy)



No. *P.C. 2909-245* Office of the Muzrai Commissioner in Mysore.

Dated Bangalore, 31st October 1925

From

C. S. Balasundaram Iyer, Esq., B.A.,

Muzrai Commissioner in Mysore,

B a n g a l o r e.

B. Srinivasa Iyengar, Esq., B.A., P.L.,

Secretary to the Government of

His Highness the Maharaja of Mysore,

Revenue Department.

Sir,

*Reply to  
reminder*

In continuation of my letter No. P.C. 290 of 24-25 dated 22nd October 1925 re the acceptance of certain properties gifted by --- Kalvanamma for the benefit of the temple of Sri Kirthi Narayanaswamy temple at Talkad. I have the honor to submit herewith for kind --- perusal a copy of the Mysore District Deputy Commissioner's letter No. C.6 of 25-26 stating that the presence of the executors of the will is being secured.

The result is awaited.

I have the honor to be,

Sir,

Your most obedient servant,

*C. S. Balasundaram Iyer*  
Muzrai Commissioner.

KSR.

Letter No.C.6 of 1925-26(Muz.) dated 24/27th October 1925  
from the Deputy Commissioner, Mysore District to the Muzrai Com-  
missioner in Mysore.

-----

"With reference to your letter No.P.C.290 of 1924-25 dated  
30th June 1925, issuing ~~xx~~ instructions in the matter of taking  
over possession of the properties gifted by one Kalyanamma of  
Talkad for the benefit of the Sri Krithinarayanaswami temple at  
the place, I have the honor to state that the Amildar, T.Narsipur  
Taluk, reports that the executors of the will did not present --  
themselves before the Amildar inspite of notices issued to them.  
I have this day instructed the Amildar to issue a fresh notice --  
giving another date and secure their attendance and take possession  
if they agree.

If they protest, the further action necessary will be consider  
ed and reported."

"C o p y"

*L. S. S. S.*

KSR.

*for* Muzrai Commissioner.  
*M*

SUBJECT.....

Diary No. of letter replied to..

General and Revenue Secretariat

( Muz )  
the 192

Date of issue.....

Signed by.....

List of enclosures.....

Copied by.....

Examined by... 22 of 11 ..

Section

File No.

Seria No.

No.

To

The Municipal Commr in Mysore,  
Bangalore

Sir,

With reference to your  
the correspondence ending with  
your letter no P.C. 290 of 24 25  
& 2-11-25 stating, with regard to  
the acceptance of certain pro-  
perties gifted by Kalyanamma  
for the benefit of the temple  
of Sri Kirthei Narayanaswamy  
at Talahad, that it is reported  
that the presence of the executors  
of the will is being secured and  
that the result is awaited, I  
am directed to request that

over

Question  
The result may be reported  
to you? or less.

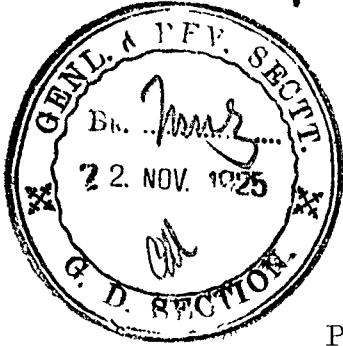
I have etc

l / i

~  
Benedict Arnold  
Rev. Sch. G.  
1810

21526

No. 1421  
1



OFFICE OF THE PRIVATE SECRETARY  
TO HIS HIGHNESS THE MAHARAJA OF MYSORE,

Mysore 21. 11 1925

GEN. & REV. SECY.  
23 NOV  
MUZRA

D. NO. 627

gms 50-25-5

Petition, as shown below, to His Highness the Maharaja is  
transferred to the Secretary to the Government of His Highness the  
Maharaja of Mysore, *Revenue* Department, Bangalore, for

*Disposal*

By Order,

*[Signature]*

No. 527 of 25-26

*For* Private Secretary  
to H. H. the Maharaja of Mysore.

SUBJECT .....

Diary No. of letter replied to 627

General and Revenue Secretariat

( muz )  
, the 192

Date of issue..

28/11-25

Signed by.

The L. Ramalinga

List of enclosures.....

Copied by .....

Examined by

82 26/11/25

Section Muz

File No. 50-25

Serial No. 6

No. 659 Encl. one

To

The muz court in Mysore,  
Bangalore.

Sir,

In continuation of this office letter no 611/Muz 50-25 of 20.11.25 re the endowment of land by Kalyanamma to the Sri Kirti-Narayanaswami temple at Dalaka I am directed to forward, herewith, ~~for disposal or report, if necessary,~~ for regd no. 627 of 16.11.25 from Kadambi Lakshminarasimhaiah praying that the gift of Kalyanamma may be taken over by Govt early and arrangements made for deepaadhana in the temple, that his deposit with Govt. for

over

the construction of a case for the  
temple may be supplemented  
by good and a case constructed  
etc. in fact upon a similar

A. L. L. L. L.

Secretary  
New York  
L. L. L. L. L.  
L. L. L. L. L.

P.C. 2907 Office of the Muzrai Commissioner in Mysore.  
one more file with dated Bangalore, 30th January 1926.

From

33175

2-2-26  
Muz 868

GEN. REV. SEC.  
Muz 50-25-7

B. Ramaswamaiya, Esq., B.A., B.L.,  
Muzrai Commissioner in Mysore,  
B a n g a l o r e.

MUZRAI



B. Srinivasa Iyengar, Esq., B.A., B.L.,  
Secretary to the Government of  
His Highness the Maharaja of Mysore,  
Revenue Department.

7  
4  
sir,

With reference to your letter No.611/Muz.50-25 dated 20th --  
November 1925 requesting to be intimated of the result of action --  
taken on the petition of Kadambi Lakshminarasimhachar with regard --  
to the acceptance of certain properties gifted by Kalyanamma for the  
benefit of Sri Kirthi Narayanaswamy temple at Talkad, I have the --  
honor to submit herewith copy of letter No.C.6 of 25-26 dated 12/14th  
December 1925 received from the Deputy Commissioner Mysore District  
reporting that of the several guttadars of the lands who were served  
with notices by the Amildar, only Rudregowda and Venkatramana Gowda  
appeared before him (Amildar) and said that an agreement had been --  
executed by them to pay the gutta to Ananthanarain Jois and that if  
the said deed is got cancelled they were ready to deliver the paddy  
to Government. He has solicited instructions in the matter as the  
possession of the properties in question has not been handed over -  
to the executors of the will.

2 From the records it is seen that Ananthanarain Jois claims to  
be the adopted son of Venkatamma younger sister of Naranamma who --  
willed away the properties in favour of the aforesaid institution as  
per directions of her deceased sister-in-law (Kalyanamma). On ---  
Kalyanamma's (brother's wife of Naranamma) death, Ananthanarain Jois  
performed the funeral ceremonies and leased out the lands for a ----  
period of 5 years getting lease deeds in his favour. He contends -  
that the so-called will of Naranamma is the outcome of enmity with -

with him of the petitioner Lakshminarasimhachar, and that. had no right to will away the property. He alleges that he is nearest heir being the adopted son of Venkatamma. But the petitioner Lakshminarasimha Char repudiates the adoption itself.

3 In the court of the Sub Judge, Mysore, where an application for a succession certificate in respect of a debt due to the estate of -- Kirthi Narayana Iyengar, husband of Kalyanamma, who died issueless was filed by Anantha Narain Jois and was opposed by K. Lakshminarasimha Char, the Sub Judge has in his judgment opined that Naranamma is the preferential heir. She is reported to have died on 13-12-24.

4 In these circumstances, I am of opinion that the executors have to take out letters of administration before the terms of the will can be enforced.

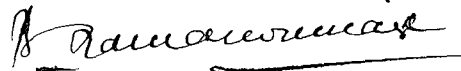
5 I request that legal opinion may be kindly obtained in the --- matter and communicated early. Instructions are also solicited as to whether any steps can be taken in the case on behalf of Government.

6 The vernacular papers together with the will is herewith submitted for reference.

I have the honor to be,

Sir,

Your most obedient servant,



Muzrai Commissioner.

KSR.

*KM*

Letter No.C.6/25-26 dated 12/14th December  
Commissioner, Mysore District to the Muzrai Commissioner in Mysore.

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"In continuation of my letter No.C.6 of 25-26 of 8-12-25 in the matter of taking over possession of the properties gifted by one Kal of Talkad, I have the honor to state that the Amildar T. Narasipur that the executors including Kadambi Lakshminarasimachar have stated him that they are not in possession of any of the gifted properties that they have no objection to take possession of them and arrange for the sevas to be conducted according to the will, that notices were issued to the guttadars of lands and out of them only Rudre Gowda and Venkataramane Gowda appeared and stated before the Amildar, that they have executed agreement to pay the gutta to Ananthanarayana Jois and if the above gutta is cancelled they are ready to deliver the paddy to Government.

As the executors of the will have not handed over possession of the gifted properties, I solicit instructions in the matter.

The file of vernacular papers together with the will is herewith

submitted for reference."

"C o p y"

A handwritten signature in dark ink, appearing to be 'Shuman', followed by the initials '1/2/76'.

for Muzrai Commissioner.  
Ra

KSR.

dated Bangalore, 4th February 1926.

dated Bangalore, 4th February 1926.

GEN. & REV. SEC. TARI  
6 FEB 1970  
MUZRAI

A circular ink stamp from the General &amp; Rev. Section. The outer ring contains the text "GENL. &amp; REV. SECT." at the top and "G. D. SECTION." at the bottom, separated by small floral motifs. In the center, the date "5 FEB 1926" is stamped. Above the date, the initials "M.T.G." are handwritten in a cursive script. Below the date, the initials "C.H." are handwritten in a similar cursive script.

His Highness the maharaja of Mysore,

Sir,

in continuation of this office letter No.P.O.290 of 24-25 dated 2nd February 1926 re the properties gifted by one Kalyanamma in favour of the temple of Sri Kirthi Narayana swamy at Talkad, I have the honor to submit herewith the records received with the Deputy Commissioner's letter No.6 of 25-26 dated 21st January 1926 reporting that on account of the takarar put forward by the ----- guttedars of the said lands, it is not possible to take possession of the lands unless legal steps are taken and that the lands are not in the possession of the trustees.

I have the honor to be,

Sir,

Your most obedient servant,

KSR.

2 leaves }  
4/2/66  
for Muzrai Commissioner.  
Ab-Cut from the St. An. on 10th

SUBJECT.....

*The remainder  
was refd to the Muzrai  
w/ ref to the letter  
of 8-3-26. [unclear]  
[unclear] 290 of 25*

Section

*Muz*

File No.

*50-25*

Seria No.

No. *1112* *in* *9*

To

*The Muzrai Court in Mysore  
Bangalore*

General and Revenue Secretariat

( *Muz* )

the 192

Sir,

Date of issue..... *3. 3. 26*

Signed by *M. Navanitha*

With reference to the corres-  
pondence ending with your letter  
no. P.C 290 of 14-25 of 2-2-26 regar-  
ing ~~to~~ that legal opinion may  
~~be obtained and communicated~~  
in the matter of taking possession  
of certain properties gifted by  
one Kalyanamma for the benefit  
of Sri Kirti Narayanaswamy  
temple at Tal Kad. I am directed  
to ~~forward herewith~~ <sup>for your info & guidance</sup> ~~the opinion~~  
~~furnished~~ <sup>to</sup> by the S & S Secretary in  
the matter

*Solicitor's instructions*

~~With regard to the steps to  
be taken in the case on behalf  
of Govt, I am to state that  
action may be taken as  
indicated by the S & S Secretary  
in his note.~~

List of enclosures .....

Copied by.....

Examined by.....

*Have re*

over

2. The Opinion of the L & Ltee<sup>2</sup>

It seems to me that the testatrix Narayanamma, a sister of Durti Narayana Dyengar, the owner of the properties, was in possession of the properties after the death of Narayanamma, the widow of Narayana Dyengar, & had disposed of the properties by means of a will, and that Ananta Narain Jois claims to be the owner of the properties by being the adopted son of Venkataramma, the sister of Narayanamma. The Govt<sup>ts</sup> are interested as being the managers of the properties bequeathed to the idol called Durti Narayana-swami at Talahad by Narayanamma."

"The executors of the will have not taken out letters of administration with the will annexed and as such cannot act in the matter."

The position appears to be that in the absence of a preferential heir to Durti Narayana Dyengar,

GENERAL AND REVENUE  
SECRETARIAT.

(Continuation sheet draft form.)

his sister must have  
to his properties and bequeathed  
them to the idol; that Narayan  
Jois seems to have no claim to  
the properties & has unsuccessfully  
tried to obtain  
succession certificate  
to collect the debts due to  
Kunti Narayana Jagannath &c  
that even the executors seem  
to take no interest in the  
matter <sup>for want of any</sup> ~~for want of any~~  
interests."

5. Probate can be granted  
only to an executor. When  
the executor refuses to act,  
an universal & residuary  
legatee may be admitted  
to prove the will."

6. "As the idol is the owner of  
the property and the  
monastery in its affairs the  
Public Prosecutor may be

is whether  
we should take out the  
letters of administration."

7. If they fail to act, the  
Govt as the managers of the  
properties or temple authorities,  
may take out letters of  
administration under  
section 19 of Probate and  
Administration Regulation  
I of 1914 and take possession  
of the properties bequeathed  
to the idol."

I have etc

M  
17/2

Secretary,  
Rev. Dept.  
Bd

17/2/26

89  
17-2-26